

JPW



Attorney Docket No.: 60188-581  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
Michio MORITA  
Serial No.: 10/628,451  
Filed: July 29, 2003  
For: METHOD FOR FABRICATING MULTILAYER INTERCONNECT  
AND METHOD FOR CHECKING THE SAME

:  
: Customer No.20277  
:  
: Confirmation No.: 4849  
:  
: Group Art Unit: 2813  
: Examiner: LAURA M. SCHILLINGER  
:

ELECTION UNDER 35 U.S.C. § 121

Mail Stop Amendment  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action  
mailed November 23, 2004, having a shortened statutory period for response set to  
expire December 23, 2004, wherein the Examiner required restriction between the  
following distinct Species:

- Species 1 - Claims 1-8, pertaining to a method of forming an interconnect; and
- Species 2 - Claims 9-10, pertaining to a method of checking an interconnect.

Applicant elects without traverse, Species 1 – with claims 1-8 readable thereon, for  
initial prosecution on the merits.

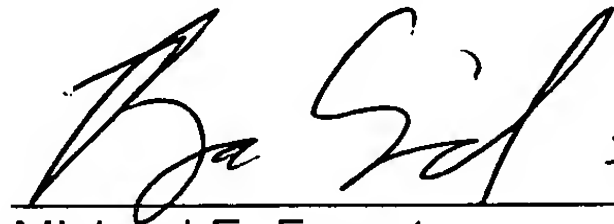
Applicant also reserves the right to file a Divisional Application for the non-elected claims, which the Examiner has indicated is patentably distinct.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Date: 12/22/04

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